

**UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF CALIFORNIA**

IGNACIO RUIZ,

Plaintiff,

v.

THE CITY OF FRESNO, et al.

Defendants.

Case No. 1:24-cv-00287-SAB

**ORDER RE STIPULATION TO CONTINUE  
MANDATORY SCHEDULING  
CONFERENCE**

(ECF No. 10)

**FOURTEEN DAY DEADLINE**

On March 7, 2024, a complaint was filed in this action against the City of Fresno, Paco Balderrama Mindy Casto, Joe Alvarez, Tom Rowe, Anthony DeWall, Sean Biggs, and Joshua Knapp. (ECF No. 1.) On March 19, 2024, Plaintiff filed proof of service on the City of Fresno. (ECF No. 7.) On April 8, 2024, attorney Joseph Rubin filed a document docketed as an “answer with Jury Demand by Joe Alvarez, Paco Balderrama, Sean Biggs, Mindy Casto, Anthony DeWall, Joshua Knapp, Tom Rowe, The City of Fresno.” (ECF No. 8.) The document, however, is titled “answer to Plaintiff’s complaint on behalf of Defendant City of Fresno.” (Id. at 1.) Further, Mr. Rubin updated CM/ECF to reflect that he and Mandy Louise Jeffcoach represent each of the eight defendants in this action. A scheduling conference is currently set for October 3, 2024.

On September 25, 2024, Plaintiff and the City of Fresno filed a stipulation for continuance of the mandatory scheduling conference. (ECF No. 10.) Therein, the parties represent that the City of Fresno has not accepted service for the individual defendants, but that a determination of whether it will accept such service will be made soon. Given seven of the eight

defendants have not yet appeared in this action, the Court finds that good cause exists to continue the currently scheduled conference.

However, it has been over 200 days since the complaint was filed in this action. The Court shall order that Plaintiff file proof of service or a status report regarding service within fourteen days of entry of this order.

Further, CM/ECF currently reflects that Mr. Rubin and Ms. Jeffcoach represent Defendants Paco Balderrama Mindy Casto, Joe Alvarez, Tom Rowe, Anthony DeWall, Sean Biggs, and Joshua Knapp. If counsel entered this in error, he shall promptly update CM/ECF or file a proper notice to the Court. Further, when docketing an item, counsel is admonished to choose the title that reflects the actual document filed.

Accordingly, IT IS HEREBY ORDERED that:

1. The mandatory scheduling conference is CONTINUED from October 3, 2024, to **December 3, 2024, at 2:00 p.m.** in Courtroom 9;
2. The parties shall file a joint scheduling report at least **seven (7) calendar days** prior to the continued scheduling conference date; and
3. Within **fourteen (14) days** of entry of this order, Plaintiff file proof of service or a status report regarding service on Paco Balderrama Mindy Casto, Joe Alvarez, Tom Rowe, Anthony DeWall, Sean Biggs, and Joshua Knapp.

IT IS SO ORDERED.

Dated: **September 26, 2024**

  
UNITED STATES MAGISTRATE JUDGE